IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
ORIGINAL JURISDICTION
Dated: Nainital: the 21st day of October, 2005
Bail application no. 935 **of 2005**
Order on the bail application of accused

CRIMINAL SIDE

Vipin Sharma S/o Ramesh Chandra Sharma
R/o Dandhera
P.S. Kotwali Roorkee
District Haridwar … Applicant

Versus

State of Uttaranchal … Opposite Party

Arising out of Case Crime No. 261 of 2005
Under Section 386 I.P.C.
P.S. Kotwali Roorkee
District Haridwar

By the court

Hon'ble B.C. Kandpal, J.

The applicant has applied for bail in case crime No. 261 of 2005 under Section 386 I.P.C., P.S. Kotwali Roorkee, District Haridwar.

Heard Sri Navneet Kaushik, learned counsel for the applicant, learned A.G.A. and perused the record.

The applicant is in jail since 30.08.2005.

Learned counsel for the State was granted several opportunities to obtain the criminal history of the applicant in this case. Learned A.G.A. has informed to the Court that in spite of the information sent to the Investigating Officer, nothing has been received by the office of the Government Advocate in this regard, as yet.

The conduct of the Investigating Officer is highly deprecated and he should be held personally responsible for the adverse order against the prosecution as I have left with no option in view of the conduct of the Investigating Officer, except to enlarge the applicant on bail at this stage.

Let the applicant Vipin Sharma be released on bail on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of Magistrate concerned.

The copy of this order be sent to the S.S.P. concerned.

(B.C. Kandpal, J.)

21.10.2005
ASWAL